

Medics in the War on Drugs

by Thomas S. Szasz

Some enemies of the drug war would trade the prison cell for the hospital bed.

Drug prohibitionists were alarmed last November, when voters in Arizona and California endorsed the initiatives permitting the use of marijuana for "medical purposes."

Opponents of drug prohibition ought to be even more alarmed: The advocates of medical marijuana have embraced a tactic that retards the repeal of drug prohibition and reinforces the moral legitimacy of prevailing drug policies. Instead of steadfastly maintaining that the War on Drugs is an intrinsically evil enterprise, the reformers propose replacing legal sanctions with medical tutelage, a principle destined to further expand the medical control of everyday behavior.

Not surprisingly, the drug prohibition establishment reacted to the passage of the marijuana initiatives as the Vatican might react to an outbreak of heretical schism. Senator Orrin G. Hatch, chairman of the Senate Judiciary Committee, declared: "We can't let this go without a response." Arizona Senator Jon Kyl told the Judiciary Committee: "I am extraordinarily embarrassed," adding that he believed most Arizona voters who supported the initiative "were deceived." Naturally. Only a person who had fallen into error could approve of sin. Too many critics of the War on Drugs continue to refuse to recognize that their adversaries are priests waging a holy war on Satanic chemicals, not statesmen who respect the people and whose sole aim is to give them access to the best possible information concerning the benefits

and risks of biologically active substances.

From Colonial times until 1914, Americans were the authors of their own drug policy: they decided what substances to avoid or use, controlled the drug-using behavior of their children, and assumed responsibility for their personal conduct. Since 1914, the control of, and responsibility for, drug use — by adults as well as children — has been gradually transferred from citizens to agents of the state, principally physicians.

Supporters of the marijuana initiatives portray their policies as acts of compassion "to help the chronically or terminally ill." James E. Copple, president of Community Anti-Drug Coalitions of America, counters: "They are using the AIDS victims and terminally ill as props to promote the use of marijuana." He is right. Former Surgeon General Jocelyn Elders declares: "I think that we can really legalize marijuana." If by "legalizing" she means repealing marijuana prohibition, then she does not know what she is talking about. We have sunk so low in the War on Drugs that, at present, legalizing marijuana in the United States is about as practical as is legalizing Scotch in Saudi Arabia. A

1995 Gallup Poll found that 85 percent of the respondents opposed legalizing illicit drugs.

Supporters of the marijuana initiatives are posturing as advocates of medical "responsibility" toward "sick patients." Physicians complain of being deprived of their right to free speech. It won't work. The government can out-responsible the doctors any day. Physicians have "prescription privileges," a euphemism for what is, in effect, the power to issue patients *ad hoc* licenses to buy certain drugs. This makes doctors major players in the state apparatus denying people their right to drugs, thereby denying them the option of responsible drug use and abdicating their own responsibilities to the government: "We will not turn a blind eye toward our responsibility," declared Attorney General Janet Reno at a news conference on December 30, 1996, where the Administration announced "that doctors in California and Arizona who ordered for their patients any drugs like marijuana . . . could lose their prescription privileges and even face criminal charges." I don't blame the doctors for wanting to forget the Satanic pact they have forged with the state, but they should not expect the

government not to remind them of it.

The American people as well as their elected representatives support the War on Drugs. The mainstream media addresses the subject in a language that precludes rational debate: crimes related to drug prohibition are systematically described as "drug-related." Perhaps most important, Americans in ever-increasing numbers seem to be deeply, almost religiously, committed to a medicalized view of life. Thus, Dennis Peron, the originator of the California marijuana proposition, believes that since relieving stress is beneficial to health, "any adult who uses marijuana does so for medical reasons." Similarly, Ethan Nadelmann, director of the Lindesmith Center (the George Soros think tank for drug policy), states: "The next step is toward arguing for a more rational drug policy," such as distributing hypodermic needles and increasing access to methadone for heroin addicts. These self-declared opponents of the War on Drugs are blind to the fatal compromise entailed in their use of the phrase

"rational policy."

If we believe we have a right to a free press, we do not seek a rational book policy or reading policy; on the contrary, we would call such a policy "censorship" and a denial of our First Amendment rights.

If we believe we have a right to freedom of religion, we do not seek a rational belief policy or religion policy;

The "medical marijuana" initiatives retard the repeal of drug prohibition and reinforce the moral legitimacy of prevailing drug policies.

on the contrary, we would call such a policy "religious persecution" and a denial of the constitutionally mandated separation of church and state.

So long as we do not believe in freedom of, and responsibility for, drug use, we cannot mount an effective

opposition to medical-statist drug controls. In a free society, the duty of the government is to protect individuals from others who might harm them; it is not the government's business to protect individuals from harming themselves. Misranking these governmental functions precludes the possibility of repealing our drug laws. Presciently, C. S. Lewis warned against yielding to the temptations of medical tutelage: "Of all the tyrannies a tyranny sincerely exercised for the good of its victims may be the most oppressive. . . . To be 'cured' against one's will and cured of states which we may not regard as disease is to be put on a level with those who have not yet reached the age of reason or those who never will; to be classed with infants, imbeciles, and domestic animals."

Although at present we cannot serve the cause of liberty by repealing the drug laws, we can betray that cause by supporting the fiction that self-medication is a disease, prohibiting it is a public health measure, and punishing it is a treatment. □



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